

BEFORE THE
FEDERAL MARITIME COMMISSION

Docket No. 12-02

MAHER TERMINALS, LLC

COMPLAINANT

v.

THE PORT AUTHORITY OF NEW YORK AND NEW JERSEY

RESPONDENT

JOINT MOTION TO EXTEND STAY OF PROCEEDINGS

On August 3, 2016, the Presiding Officer granted the joint motion of Complainant Maher Terminals, LLC (“Maher”) and Respondent the Port Authority of New York and New Jersey (“Port Authority”), dated July 29, 2016, to stay all proceedings for five weeks pending the outcome of settlement negotiations. On September 2, 2016, the parties moved to extend the stay two weeks, and the Presiding Officer granted such motion on September 9, 2016. On September 16, 2016, the parties moved to extend the stay through September 23, 2016, and the Presiding Officer granted such motion on September 21, 2016. This stay is set to expire on September 23, 2016. The parties hereby jointly move for a brief extension of the stay through and including September 30, 2016 to allow the parties to finalize settlement negotiations.

In support of this motion, Maher and the Port Authority jointly state that they have made substantial progress toward an agreement that will resolve all issues in this litigation, as well as in the Docket No. 08-03 action. The parties, however, request additional time to negotiate the

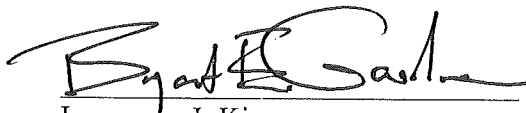
details of this agreement. The parties anticipate being able to complete negotiations and submit a settlement agreement for approval by or before September 30, 2016.

The parties are simultaneously filing a similar motion with the Commission seeking an extension of the stay of proceedings in the Docket No. 08-03 action. A proposed stay order is attached for the Presiding Officer's consideration.

Dated: September 23, 2016

Respectfully submitted,

FOR MAHER TERMINALS, LLC



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ORDER

Complainant Maher Terminals, LLC ("Maher") and Respondent the Port Authority of New York and New Jersey ("Port Authority"), having filed a joint motion to extend the stay of proceedings in this litigation, all proceedings in this action are hereby stayed through and including September 30, 2016, pending the outcome of settlement negotiations. On September 30, 2016, if the parties have not yet concluded their settlement, they shall submit a status report and either a joint motion for a brief extension of the stay or a proposed schedule.
